

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

UNITED STATES OF AMERICA

*Plaintiff,*

**V.**

**0.532 ACRES OF LAND, MORE OR  
LESS, SITUATE IN STARR COUNTY,  
STATE OF TEXAS; AND MARCOS  
MUNIZ, Jr., ET AL.**

*Defendant.*

**S S S S S S S S S S**

**Civil Action No. 7:20-CV-395**

**DEFENDANT JUANITA P. RIVAS' MOTION TO SEEK LEAVE TO APPEAR  
TELEPHONICALLY**

TO THE HONORABLE COURT

Defendant Juanita P. Rivas (“Defendant”), by and through her counsel Gagan Khan of GK Law PLLC, hereby files this Motion to Seek Leave to Appear Telephonically, to the United States of America’s Complaint in Condemnation, Declaration of Taking, and Notice of Condemnation.

**REASON FOR MOTION TO SEEK LEAVE TO APPEAR TELEPHONICALLY**

1. Counsel, Gagan Khan has recently suffered from cold and flu symptoms in the last week and the prior week. Counsel is unaware whether this is a common cold or something more serious.
2. Counsel does not want to place the Court staff at risk of something that may be contagious. Therefore, Counsel seeks leave to appear telephonically.
3. Counsel and Plaintiff's counsel have filed a Joint Discovery Case Management Plan on August 06, 2021. The Joint Discovery Case Management Plan is agreed to by both parties.

4. Counsel had intended to appear telephonically, therefore, Counsel had stated this intent in the Joint Discovery Case Management Plan. However, Counsel fell sick that prevented her from filing the motion prior to this date.

5. This Motion is not sought for delay but so that justice may be served. Counsel requests leave to appear by telephone at the status conference on August 17, 2021 at 9:00 am.

**RELIEF REQUESTED**

6. Defendant and Counsel request any other relief the Court deems proper.

Respectfully submitted,

GK Law PLLC

/s/ Gagan Khan

Gagan Khan

GK Law PLLC

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**ATTORNEY FOR DEFENDANT,  
JUANITA P. RIVAS**

**CERTIFICATE OF CONFERENCE**

I certify that I have conferred with Plaintiff's counsel on August 5, 2021, and then on August 16, 2021. Plaintiff's counsel does not oppose this motion at this time.

/s/Gagan Khan

**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that she has electronically submitted a true and correct copy of the foregoing via the Court's ECF/CM system on the 16<sup>th</sup> day of August 2021, which will serve a copy on all counsel of record.

/s/ Gagan Khan  
Gagan Khan